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Date: 3/9/11To: Al Kaiser - Office of Petitions - Commissioner of Patents Fax # (571) 273-8300

From: Al Kaiser (985) 373-6984 Fax # (985) 893-8479

Re: Patent # 5601,323 ; APPLICATION # 084611382011 MAR 14 PM 3:33
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THE REPRESENTATIVE COULD NOT FIND THE PAPERWORK IN YOUR SYSTEM.
SHE DIRECTED ME TO RE-FAX EVERYTHING EXCEPT FORM PTO-2038,
SINCE THE PAYMENT WAS ALREADY PROCESSED AT THE TIME OF
THE ORIGINAL FAX. THANK YOU IN ADVANCE FOR YOUR ASSISTANCE
IN COMPLETING THIS IMPORTANT PROCESS.

RESPECTFULLY,
Al Kaiser (985)373-6984

Auto-reply fax to 9858938479 COMPANY:



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TO:

Fax Sender at 9858938479

Fax Information

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	02/11/2011 04:34 9858938479 Fax Cover Sheet Date: <u>02/11/2011</u> To: <u>Armand A. Kalber</u> Fax # <u>(511) 225-8300</u> From: Armand A. Kalber (985) 373-6984 Fax # (985) 893-8479 Re: <u>Request for Examination Fees, Filing Fees & Surrender of Amr. # S. No. 325</u> Pages Sent (including cover sheet): <u>(5)</u> Notes: <u>5 Page Short Transm. Fee Cover Sheet, PTO/SAC, and PTO-2298.</u> <hr/> <hr/> <hr/> <hr/> <hr/>
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PAGE 02 * RCVD AT 3/9/2011 2:17:04 PM [Eastern Standard Time] * SVR:W-PTOFACT-00239 * DNIS:2738300 * CSID:9858938479 * DURATION (mm:ss):03:09

Fax Cover Sheet

Date: 02/11/2011

To: New Star Payment Commission Fax Parans Fax # (571) 273-8300

From: Armond A. Kaiser (985) 373-6984 Fax # (985) 893-8479

Re: Payment Of Unintentionally Delayed Patient Maintenance Fee & Surcharge
For Patient # 5,604,323.

Pages Sent (including cover sheet): (5)

Notes: 5 PAGES SENT INCLUDING FAX COVER SHEET, PTO/5B/62, AND
PTO - 2038.

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PTO/SB/66 (03-09)

Approved for use through 03/31/2012 OMB 0651-0016
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Docket Number (Optional)

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF
MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))**

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Mail to: Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300

MAR 16 2011

OFFICE OF PETITIONS

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 5,601,323Application Number 08/461,138Issue Date 1997-02-11Filing Date 1995-06-05

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent

Is a reissue of original Patent No. _____ original issue date _____
 original application number _____
 original filing date _____
 resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____
 filed on _____

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

2011-02-11

Date

Signature

Armond A. Kaiser

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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1. SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/>	\$ _____	3 ½ yr fee	<input type="checkbox"/>	\$ _____	3 ½ yr fee
<input type="checkbox"/>	\$ _____	7 ½ yr fee	<input type="checkbox"/>	\$ _____	7 ½ yr fee
<input type="checkbox"/>	\$ _____	11 ½ yr fee	<input checked="" type="checkbox"/>	\$ 2055.00	11 ½ yr fee

MAINTENANCE FEE BEING SUBMITTED \$ 2055.00

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1640.00 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1640.00

5. MANNER OF PAYMENT

Enclosed is a check for the sum of \$ _____

Please charge Deposit Account No. _____ the sum of \$ _____

Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

PTO/SB/68 (03-09)

Approved for use through 03/31/2012 OMB 0651-0016

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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7. OVERPAYMENT

As to any overpayment made please

Credit to Deposit Account No. _____
 OR
 Send refund check

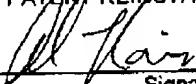
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED


 Signature(s) of Petitioner(s)

2011-02-11

Date

Armond A. Kaiser

Typed or printed name(s)

Registration Number, if applicable

(985) 373-6984

Telephone Number

20096 Walden Street, Covington, LA 70435

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

Maintenance Fee Payment
 Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)
 Form PTO-2038 (payment by credit card)